

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL RECKER,

Defendant.

No. CR12-2003-LRR

ORDER


The matter before the court is the defendant's motion to reconsider the order denying his motion to dismiss the indictment (docket no. 22). The defendant filed such motion on February 13, 2012. The government did not file a resistance, but there is still time to file one. Rather than wait for the government to respond, the court deems it appropriate to address the defendant's motion to reconsider.

The defendant states nothing in his motion to reconsider which leads the court to a different conclusion. Neither the defendant's original motion to dismiss the indictment nor the motion to reconsider is a model of clarity. Indeed, there are aspects of them that border on being incoherent. What is clear from both pleadings is that the defendant has a profound misunderstanding of how the law applies to him. Further, although the defendant appears to be dissatisfied with the manner in which the court summarily disposed of his motion to dismiss the indictment, nothing requires the court to provide detailed reasons as to why the defendant's claims are meritless, that is, have no basis in the law, or explain why it is that the defendant is misapplying the law. The fact is the government is prosecuting the defendant and he is being afforded all of the due process that is required by the Constitution. And, the mere fact that the defendant knowingly and voluntarily

elected to proceed pro se does not entitle him to a more thorough explanation of the procedural or substantive aspects of his criminal case. Accordingly, the defendant's motion to reconsider the order denying his motion to dismiss the indictment (docket no. 22) is denied.

IT IS SO ORDERED.

DATED this 17th day of February, 2012.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA